NOVA SCOTIA PUBLIC PROSECUTION SERVICE
Statement of Mandate
2015-2016

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Message from the Director of Public Prosecutions

I am pleased to present the 2015-2016 Statement of Mandate for the Nova Scotia Public Prosecution Service (PPS).

The PPS continues to spearhead the province-wide e-disclosure initiative to facilitate the Crown's ability to receive uniform electronic disclosure from police. This year, in addition to ongoing governance, the PPS will develop a system to support role-based electronic transfers eliminating the use of CD/DVDs. Research will be conducted into technological requirements in the courts to support e-disclosure and an approach will be developed to ensure universal compliance.

Education and training continues to be an important priority this year for Crown Attorneys. A comprehensive educational program is being developed for the annual fall conference for Crown Attorneys. The program will comply with increasing requirements set by the Nova Scotia Barristers' Society for mandatory professional development for lawyers.

In order to deal with growing internet-based crime, the PPS will provide training to select Crown Attorneys to broaden its capacity in this area.

In response to concern among justice partners over provincial court delays, the PPS continues to work in cooperation with justice system stakeholders in identifying contributing causes and to streamline the processing of cases.

The PPS head office continues to enhance the delivery of communications, national flagging of high risk dangerous offenders and policy development. FOIPOP services will now be coordinated through the Corporate Information, Access and Privacy Office.

The provision of prosecutorial services in the area of regulatory offences, especially offences under the Occupational Health and Safety Act, continues to be a focus. The growing number of workplace injuries and fatalities is of concern and with funding assistance from the Department of Labour, an additional prosecutor has been dedicated to Occupational Health and Safety offences. Aside from prosecuting these offences, these Crown Attorneys will lead training and education initiatives for police and investigators.

The PPS continues to strive for service-wide compliance to its policy on providing advice to police. All Crown Attorneys are expected to routinely record all advice given.

The PPS looks forward to the 2015-2016 year and to moving these important initiatives along.

Martin E. Herschorn, Q.C.
Director of Public Prosecutions

MANDATE / MISSION / VISION

MANDATE

The Nova Scotia Public Prosecution Service is a functionally independent agency of government created by the Public Prosecutions Act. It shares a common Minister and some common services with the Department of Justice (DOJ), but it is not a division nor part of the Department of Justice. In addition to its statutory responsibilities, the Public Prosecution Service and its members contribute, where appropriate and feasible, to the formulation of public policy in the administration of justice.

The Public Prosecution Service, by statute, is responsible for:

- prosecution of all Criminal Code offences;
- prosecution of some other federal statutes;
- prosecution of provincial summary conviction offences;
- appeals before the Supreme Court of Nova Scotia;
- appeals before the Nova Scotia Court of Appeal;
- appeals before the Supreme Court of Canada;
- representation at Criminal Review Board hearings; and
- providing advice to police in respect of prosecutions generally or in respect of particular investigations.

MISSION

To seek justice and serve the public interest by performing prosecution duties with fairness, professionalism and integrity.

VISION

To be a leading prosecution service in Canada, highly effective and widely respected by the legal community and the general public, staffed by valued, skilled and motivated people, working in a dynamic supportive environment.

STRATEGIC OUTCOME

Crown Attorneys will seek justice and serve the public interest by performing prosecution duties with fairness, professionalism and integrity.

2015-2016 PRIORITIES

The Nova Scotia Public Prosecution Service has identified the following priorities for the year 2015-2016.

- In addition to ongoing governance of the e-disclosure initiative, the PPS will develop a system to support role-based electronic transfers eliminating the use of CD/DVDs. Research will be conducted into technological requirements needed in the courts to support e-disclosure and an approach will be developed to ensure universal compliance.

- The PPS will provide training to select Crown Attorneys to broaden its capacity in the growing area of internet-based crime.

- The PPS head office will continue to enhance the delivery of communications, national flagging of high risk dangerous offenders and policy development. FOIPOP services will now be coordinated through the Corporate Information, Access and Privacy Office.

- The provision of prosecutorial services in the area of regulatory offences, especially offences under the Occupational Health and Safety Act, will continue to be a focus. The growing number of workplace injuries and fatalities is of concern and with funding assistance from the Department of Labour, an additional prosecutor has been dedicated to Occupational Health and Safety offences. Aside from prosecuting these offences, these Crown Attorneys will lead training and education initiatives for police and investigators.

- The PPS will strive for service-wide compliance to its policy on providing advice to police.

- Crown Attorneys will continue to be provided with the necessary continuing legal education to enable competent delivery of prosecution services.

- The PPS will continue its collaboration with justice system stakeholders to reduce delays in adult and youth case processing.

BUDGET CONTEXT

PROGRAM & SERVICE AREA	2014-15 Estimate *($ thousands)*	2014-15 Forecast *($ thousands)*	2015-16 Estimate *($ thousands)*
Head Office	2,837	2,597	2,700
Special Prosecutions	1,657	1,566	1,815
Appeals	1,033	1,214	1,141
Halifax Region	6,947	7,015	7,539
Cape Breton Region	3,155	3,309	3,554
Central Region	2,726	2,906	3,026
Western Region	2,782	3,094	3,048
TOTAL PROGRAM EXPENSES	21,137	21,701	22,823
Provincial Funded Staff (FTEs)	170.7	166.3	167.8

Rounding

- *All estimates/forecasts rounded to the nearest thousand*
- *FTE information is rounded to the nearest tenth*

PERFORMANCE MEASURES

Department Mandate: Represent the Crown in the conduct of criminal and quasi-criminal appeals before all levels of courts.

Outcome	Measure	Base Year 2006-07	Annual Target 2014-15 100% Ultimate Target	Strategic Actions
High quality trial work	Performance evaluation of Crown Attorneys to attain a designation of competent or higher. *(The PPS is exploring further methods of measurement.)*	100 % of Crown Attorneys received a rating of competent or better.	Maintain standard of 100%	- Provide continuing education to full time Crown Attorneys, Per Diem Crown Attorneys and Support Staff - Implement a Case Management Information System

The role of the Crown Attorney is not to win or lose a criminal prosecution. It is to fairly present all relevant evidence to the court, to seek justice and serve the public interest by performing prosecution duties with fairness, professionalism and integrity.

Achieved through:

- Performance appraisals, records kept by Crown Attorneys of quality work shared with managers during ongoing performance appraisals, justice statistics regarding charges laid, disposition results.
- Responding to complaints against Crown Attorneys, provide counsel and advice to Crown Attorneys when necessary.
- Regular meetings with police at regional level to obtain feedback regarding interaction with Crowns.

Performance Measures

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Performance Measures

Department Mandate: Participate in the development of criminal law and criminal prosecutions policy.				
Outcome	**Measure**	**Base Year 2004/05**	**Annual Target**	**Strategic Actions**
Providing Crown representation in the development of criminal law and criminal prosecutions policy	Providing representation on all committees as requested	To continue to provide 100% representation, upon request.	Maintain 100% representation	- Contribute to the development of criminal law policies and procedures in conjunction with federal and provincial Departments of Justice. Liaise with law enforcement agencies, government, the judiciary and professional associations on policy and procedural matters

Policy and Procedures developed with government, law enforcement, judiciary, professional associations.

Achieved through:

- PPS involvement in development of criminal law and prosecution policy through liaison with Federal and Provincial governments, Judiciary and professional associations.
- Liaison with the defence bar and the judiciary in the development of Provincial Court procedural rules.
- Liaison with Department of Justice for the enhancement of security and safety in criminal courts for Justice staff.
- Participation with the Judiciary in the development of forms for use in criminal proceedings.
- Participation with the Canadian Bar Association in the development of ethical guidelines as it relates to Crown Attorneys.
- Participation in Provincial Court Liaison sub-committee of the Nova Scotia Barristers' Society.
- Participation with other prosecution agencies across the country to develop protocols for compliance with SOIRA (Sexual Offender Information Registry Act).

Performance Measures

Department Mandate: Provide advice to police in respect of prosecutions generally or in respect of particular investigations				
Outcome Provide police with high quality legal advice and assistance.	**Measure** The PPS is providing police with high quality legal advice and assistance when requested during the course of police investigations. This assists police in collecting evidence and laying appropriate charges. higher *(The PPS is exploring further methods of measurement.)*	**Base Year**	**Annual Target** The PPS responds to all requests from police and provincial enforcement officers for legal advice on particular cases or direction on matters of criminal law.	**Strategic Actions** The PPS has instituted a policy requiring Crown Attorneys to record all advice given to police so that such advice is documented and to facilitate workload measurement. A process is underway to quantify that data.

Providing advice to police is an important element of the Crown Attorney's responsibilities.

Achieved through:

- Timely responses to police requests for pre-charge advice.
- Ongoing consultation with police during a lengthy and/or complex police investigation.
- Timely responses to police requests for general advice regarding prosecutions.
- Recording advice to police both to ensure quality of advice and to measure volume of Crown Attorney workload that is pre-charge.